

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the amendments above and the following remarks. Claims 1-29 are pending, of which claims 1, 12, 20 and 25 are independent.

Claims 5-7, 10-11, 14-18, 21, 23-24, 26, 28 and 29 were objected to as including allowable subject matter but being dependent on a rejected claim.

Claims 1-4, 8-9, 12-13, 19-20, 22, 25 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by Taussig et al. (6,385,075).

These rejections are respectfully traversed for the reasons set forth below.

Examiner Interview Conducted

A telephonic interview was conducted with Examiner Nguyen on September 9, 2005. During the interview, independent claim 1 and Taussig et al. were discussed. In particular, the claimed pull-up cross-point resistive element and pull-down cross-point resistive element were discussed. Examiner Nguyen indicated that Taussig et al. discloses a pull-up resistor 112 and a pull-down resistor 122. The Applicants indicated that the pull-up resistor 112 and the pull-down resistor 122 of Taussig et al. are not cross-point resistive elements. Accordingly, all the features of claim 1 are not taught by Taussig et al.

Information Disclosure Statement

The undersigned thanks the Examiner for considering the reference cited in the IDS filed on December 19, 2003.

Drawings

Figure 7 was objected to because the nodes 104 and 106 and voltages A, B, and C should be inserted and the column address diodes should be changed to 124. These changes have been made in the enclosed replacement sheet for figure 7. Acceptance of the replacement sheet for figure 7 is requested.

Claim Rejections Under 35 U.S.C. §102(b)

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-4, 8-9, 12-13, 19-20, 22, 25 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by Taussig et al.

As discussed in the interview, Taussig et al. fails to teach a pull-up cross-point resistive element or a pull-down cross-point resistive element as recited in claims 1, 12, 20 and 25.

Figure 7 in the Applicants' specification discloses a portion of a memory array addressing circuit, according to an embodiment. The circuit is comprised of substantially all cross-point elements. As described in the specification on page 20, line 8-page 21, line 6, instead of using pull-up and pull-down resistors, pull-up and pull-down cross-point resistive elements are used that may include the same structure and substantially the same material as other cross-point resistive elements in the circuit. Thus, fabrication of the memory module is simplified and less expensive. Also, the resistance of the circuit elements, which may vary due to temperature, do not substantially vary between each circuit element, resulting in more stable signaling.

Because Taussig et al. fails to teach all the claimed features, claims 1-4, 8-9, 12-13, 19-20, 22, 25 and 27 are believed to be allowable.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

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By


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